

Minutes of City Council Meeting Cheviot, Ohio

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April 5, 2011

The regular session of Council was called to order at 7:35P.M. with the Pledge of Allegiance and a moment of silence. Roll call was taken and the following were found in attendance:

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| President of Council | Deborah M. McKinney |
| Law Director | Mark Waters |
| Council 1 st Ward | Ryan Zech |
| Council 2 nd Ward | Matthew McGowan |
| Council 3 rd Ward | James Sunderhaus |
| Council 4 th Ward | Bill Clark |
| Council at Large | Kathleen Zech |
| Council at Large | Steven Braun |

President McKinney stated Mr. Dinkelacker was ill and would not be attending the meeting. A motion to excuse Mr. Dinkelacker was made by Mr. Sunderhaus, seconded by Mr. McGowan. The motion passed with a 6-0 voice vote. President McKinney stated there would be a second reading of the Life Squad Fees Ordinance. A motion to approve and file the minutes for March 15, 2011 was made by Ms. Zech, seconded by Mr. Clark. The motion passed with a 6-0 voice vote.

Department Reports

Clerk McKinney read highlights of the Economic Development Director's Reports provided to Council, from Ms. Caroline Statkus. Reports referenced were from February and March 2011. These reports can be viewed upon request at City Hall.

Public Recognition on Agenda Items

No one from the Public chose to address Council on any agenda items.

Reports of Standing Committees

Mr. Clark read a report of the Streets, Sidewalks and Lights Committee Meeting held March 22, 2011. Mr. Clark made a motion to receive and file, seconded by Mr. McGowan. The motion passed with a 6-0 voice vote. Mr. Waters clarified that his recommendation was to not sell any of the City's property. Special Counsel advised that if the city chose to go that route, a license or lease would be the better option.

Mr. Zech read a report of the Internal Affairs Committee Meeting held March 8, 2011. Mr. Zech made a motion to receive and file, seconded by Mr. Sunderhaus. The motion passed with a 6-0 voice vote. Mr. Zech stated that provide the rates to Mr. Braun for the brochure and to Mr. Waters for the required annual ordinance.

Mr. McGowan read a report of the Finance Committee Meeting held February 22, 2011. Mr. McGowan made a motion to receive and file, seconded by Mr. Clark. The motion passed with a 6-0 voice vote.

Second and Third Readings of Ordinances

Mr. Sunderhaus made a second reading of an ordinance introduced as Ordinance 11-04. The official title of said ordinance is *To Amend Section 33.04 of the Cheviot Code of Ordinances; and to Establish and Implement a Program to Charge a User Fee for the Delivery of Emergency Fire Department Services for Vehicular Accidents Provided by the City of Cheviot Fire Department.*

Mr. Sunderhaus stated this ordinance will also change the rates for the life squad runs as they have not been raised since 2007. Mr. Sunderhaus also stated that the fees are exactly as the City's neighbor Green Township. A new section has been added to charge for the Fire Department services for automobile accidents. Services due above the amount covered by insurance will not be billed to Cheviot Residents. This constitutes a second reading of ORD 11-04.

Introduction of Ordinances and Resolutions

There was not any further legislation to be heard by the Council.

Mayor's Report

Mayor Keller did not leave a report for Council.

There were no questions for Mayor Keller.

Safety-Service Director's Report

Mr. Tom Braun did not leave a report for Council.

There were no questions for the Safety-Service Director.

Law Director's Report

Mr. Waters reported that the probate court initially rejected the settlement in the Smith case but has recently reversed that decision.

Mr. Waters noted a civil case involving the City of Mariemont and violations of Ohio's Open Meetings Act ("Sunshine Law"). There are 6 exceptions to that of what can and cannot be discussed in executive session. Mr. Waters read the portion of the Ohio Revised Code (121.22) containing these exceptions. The Law Director stressed the importance of keeping the public informed and following the State Law.

The Law Director briefly commented on Senate Bill 3/House Bill 69 as it relates to possible changes in the OPERS (Ohio Public Employees Retirement System). He also touched on Senate Bill 5 concerning collective bargaining. Signatures are being obtained in hopes to place it on the November ballot. At this time, Cheviot would not be affected by the new law because our recent union agreements are good for the next 2 years.

There were no further questions for the Law Director.

Public Recognition on Other Issues

No one from the Public chose to address Council on any other issues.

Other Business

Mr. McGowan called a Finance Committee Meeting for Thursday, April 14, 2011 at 6:00pm to discuss the request for an appropriations transfer and a correction to the 2011 budget.

President McKinney reminded Council and the Public of the approaching deadlines for City, State and Federal taxes to be filed.

Treasurer's Receipts

Council received a copy of the Treasurer's Receipts for November 2010. Ms. Zech made a motion to receive and file, seconded by Mr. Clark. The motion passed with a 6-0 voice vote.

Correspondence

- Invitation to attend a Pipeline safety program
- Liquor License notice of transfer

There was a motion to adjourn the meeting by Ms. Zech, seconded by Mr. Braun. The motion passed with a 6-0 voice vote. The meeting adjourned at 8:02pm.

Rachel A. McKinney
Clerk of Council

Deborah M. McKinney
President of Council